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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/720,608

11/24/2003

Joseph J. Massad

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4237

24118 7590 06/01/2007
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EXAMINER

WILSON, JOHN J

ART UNIT

PAPER NUMBER

3732

MAIL DATE

DELIVERY MODE

06/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

11

Interview Summary	Application No.	Applicant(s)	
	10/720,608	MASSAD, JOSEPH J.	
	Examiner	Art Unit	
	John J. Wilson	3732	

All participants (applicant, applicant's representative, PTO personnel):

(1) John J. Wilson.

(3) Shawn Dellegar.

(2) Mark G. Kachigian.

(4) _____.

Date of Interview: 24 May 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: 6 and 9-15.

Identification of prior art discussed: Laszlo.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

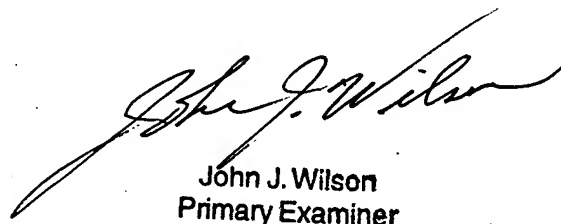
Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The proposed amendment, see attachment, would overcome the applied reference to Laszlo which does not show an undercut. The proposed amendment contains features such as the undercut which have not been previously considered and would require further search and/or consideration.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Attachment:

☒ *Proposed Amendment*


John J. Wilson
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

*Proposed Amendment
for discussion only*

PATENT
GLO255/06095
Customer No. 24,118

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: JOSEPH J. MASSAD)
SERIAL NO.: 10/720,608)
FILED: NOVEMBER 24, 2003)
FOR: METHOD FOR DEVELOPING)
BALANCED OCCLUSION IN)
DENTISTRY)
GROUP ART UNIT: 3732)
EXAMINER: JOHN J. WILSON)

DRAFT AMENDMENT FOR DISCUSSION PURPOSES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please reexamine the above-identified application in view of the following amendments and remarks.

I hereby certify that this correspondence is being filed electronically with the Commissioner for Patents on May 21, 2007.

IN THE CLAIMS:

1 1. (Withdrawn) A method for establishing balanced occlusion in dentistry comprising:
2 installing at least one special tooth as posterior teeth in one denture of a dental
3 prosthesis with each special tooth provided with a receptacle that opens in the direction of opposing
4 teeth,

5 installing the denture in identical physical relationship to the physiology of the
6 patient's mouth for whom the dental prosthesis is being created,

7 inserting synthetic resin into the receptacle of each of the special teeth in excess of
8 the amount needed to completely fill the receptacle,

9 closing the denture while holding the denture the proper distance apart from the
10 opposing teeth for the physiology of the patient's mouth and moving the denture in all eccentric
11 positions relative to the opposing teeth at an orientation that matches movement created by the
12 physiology of the patient's mouth to mold the resin into mating occlusal surfaces for the special teeth
13 by using the opposing teeth as a molding instrument,

14 allowing the resin to cure, and

15 trimming excess resin from the special teeth.

1 2. (Withdrawn) A method for establishing balanced occlusion in dentistry according
2 to Claim 1 further comprising the following step that occurs before closing the denture:

3 installing a central bearing device to the denture so that the central bearing devices
4 holds the denture the proper distance apart from the opposing teeth for the physiology of the patient's

mouth and allows the denture to move relative to the opposing teeth at an orientation that matches movement created by the physiology of the patient's mouth.

3. (Withdrawn) A method for establishing balanced occlusion in dentistry comprising:
installing special posterior denture teeth with receptacles that open in the direction of opposing teeth on a dental implant supported restoration in the patient's mouth,
inserting synthetic resin into the receptacle of each of the special teeth in excess of the amount needed to completely fill the receptacle,
closing the mouth and moving the mouth in all eccentric positions to mold the resin into mating occlusal surfaces for the special teeth by using the patient's opposing teeth as a molding instrument,
allowing the resin to cure, and
trimming excess resin from the special teeth.

4. (Withdrawn) A method for establishing balanced occlusion in dentistry comprising:
installing at least one special tooth as a posterior tooth in a partial denture of a dental prosthesis with each special tooth provided with a receptacle that opens in the direction of opposing teeth,
installing the denture in identical physical relationship to the physiology of the patient's mouth for whom the dental prosthesis is being created,
inserting synthetic resin into the receptacle of each of the special teeth in excess of the amount needed to completely fill the receptacle,

9 closing the dentures while holding the dentures the proper distance apart for the
10 physiology of the patient's mouth and moving the dentures in all eccentric positions relative to each
11 other at an orientation that matches movement created by the physiology of the patient's mouth to
12 mold the resin into mating occlusal surfaces for the special teeth by using the posterior teeth
13 provided in the opposing plate as a molding instrument,

14 allowing the resin to cure, and

15 trimming excess resin from the special teeth.

1 5. (Withdrawn) A method for establishing balanced occlusion in dentistry according
2 to Claim 4 further comprising the following step that occurs before closing the dentures:

3 installing a central bearing device in both dentures of the dental prosthesis so that the
4 central bearing devices holds the dentures the proper distance apart for the physiology of the patient's
5 mouth and allows them to move relative to each other at an orientation that matches movement
6 created by the physiology of the patient's mouth.

1 6. (Currently Amended) A special denture tooth for use in a removable dental
2 prosthesis, comprising:

3 a special denture tooth for insertion into a removable dental prosthesis, said denture
4 tooth provided with sides to form with a receptacle located centrally between the sides, at least one
5 undercut area in the receptacle to retain a resin material which fillings the receptacle and the
6 undercut area to form the occlusal surface of the special denture tooth, the contour of said occlusal
7 surface conforming to and having been molded by interaction with opposing teeth.

1 7. (Withdrawn) A central bearing device for use in dentistry comprising:

2 a central bearing plate assembly attachable to the roof of a maxillary plate, a central
3 bearing plate attachable to the central bearing plate assembly, said central bearing plate having a
4 composite angle that matches a patient's specific incisors protrusive inclination and condyle
5 protrusive inclination,

6 a central bearing pin assembly attachable to the lingual flanges of the mandibular
7 plate, a central bearing pin bushing attachable to at least one central opening provided along the
8 median of said central bearing pin assembly, and a central bearing pin adjustably attached to said
9 central bearing pin bushing so that the central bearing pin can be adjusted in height to contact the
10 central bearing plate in order to establish the proper vertical spacing between the maxillary and
11 mandibular plate, and

12 a locking nut engaging the central bearing pin to lock the central bearing pin at the
13 desired height.

1 8. (Withdrawn) Dental occlusal surfaces on teeth comprising:

2 occlusal surfaces on teeth created by using a moldable resin on the teeth and then
3 employing the opposing teeth to sculpt the resin by moving the teeth relative to each other in all
4 eccentric positions with the teeth closed relative to each other and while maintaining proper vertical
5 spacing of the opposing teeth.

1 9. (Currently Amended) A special denture tooth housing for use in a removable dental
2 prosthesis, comprising:

3 a special denture tooth housing for insertion into a removable dental prosthesis, said
4 tooth housing provided with sides ~~and with~~ to form a receptacle located centrally between the sides;
5 at least one undercut area in the receptacle of the tooth housing;

6 an initially formable resin material fillings the receptacle and the undercut area of the
7 tooth housing which cures to a solid to form an occlusal surface of the special tooth; and

8 means to establish vertical spacing between a maxillary and an opposing mandibular
9 of said dental prosthesis with a central bearing device received in a mouth of a patient to maintain
10 a proper relative vertical relationship between maxillary and mandibular components of said dental
11 prosthesis through all eccentric movements such so that the contour of said occlusal surface of said
12 special tooth housing conforms to and is molded by interaction with opposing teeth of the patient.

1 10. (Currently Amended) A tooth as set forth in Claim 6 wherein said denture tooth is
2 comprised of ~~porcelain, hardened processed acrylic~~ synthetic resin or metal.

1 11. (Currently Amended) A tooth housing as set forth in Claim 9 wherein said denture
2 tooth housing is composed of ~~porcelain, hardened processed acrylic~~ synthetic resin or metal.

1 12. (New) A tooth as set forth in Claim 6 wherein said synthetic resin is an acrylic resin,
2 a composite resin or a combination of acrylic and composite resins.

1 13. (New) A tooth housing as set forth in Claim 9 wherein said synthetic resin is an
2 acrylic resin, a composite resin or a combination of acrylic and composite resins.

1 14. (New) A tooth as set forth in Claim 6 further comprising a removable occlusal insert
2 adapted to be inserted in the receptacle prior to the receptacle being filled with the resin.

1 15. (New) A tooth housing as set forth in Claim 9 further comprising a removable
2 occlusal insert adapted to be inserted in the receptacle prior to the receptacle being filled with the
3 resin.

REMARKS

The Office Action dated March 6, 2007 has been fully considered by the Applicant. In response, Applicant has amended independent Claims 6 and 9, amended dependent Claims 10 and 11 and added dependent Claims 12-15 in order to more clearly distinguish the present invention from the prior art. For the reasons stated below, Applicant now believes the application to be in condition for allowance.

The rejection of dependent Claims 10 and 11, as now amended, under 35 U.S.C. § 112, first paragraph, is respectfully traversed. Claims 10 and 11 provide an additional limitation of Claims 6 and 9, respectively, of the denture tooth composed of a synthetic resin (*i.e.*, an acrylic resin, a composite resin or a combination of acrylic and composite resins) or a metal. The disclosure at Page 1, lines 14 through 16 teach the tooth made of a suitable synthetic resin, while the disclosure at Page 8, line 17 through Page 9, line 13 teach the tooth made of metal.

The rejection of independent Claim 6, as now amended, under 35 U.S.C. § 102 as anticipated by Laszlo (IL 83447 A) is respectfully traversed. The Examiner cited an abstract of the Laszlo Israeli patent. Applicant has obtained a full English language version of the patent which is submitted herewith. Laszlo provides a mandibular denture having a plurality of posterior teeth which have hollowed-out cusps which are to be filled with a resin for casting. In contrast, the claimed invention is directed to a denture tooth having sides with a receptacle located centrally between the sides. The receptacle of the claimed invention is provided with at least one undercut area 132 so that when resin is placed in the receptacle, the resin will fill the undercut area and, upon hardening, the resin will be more securely retained in the receptacle of the special denture tooth. In addition, the claimed

invention may include a removable occlusal insert 114 that provides a groove in which the lingual cusps of the upper posterior teeth rest when the partially completed dentures are in centric relation position. The removable inserts will be removed from the denture tooth's receptacle prior to the receptacle being filled with the resin. (Page 41, line 3 through Page 42, line 11).

As now amended, independent Claims 6 and 9 clearly convey that the claimed invention comprises a denture tooth housing inserted into a removable dental prosthesis, wherein the denture tooth has a receptacle with at least one undercut area to help retain the resin upon hardening, in contrast to the Laszlo invention. The claimed invention may also include removable inserts in the receptacle of the denture tooth.

The rejection of Claim 9, as now amended, under 35 U.S.C. §103 as unpatentable over Laszlo in view of Opotow (U.S. Patent No. 2,309,270) is respectfully traversed. As set forth above, the Laszlo reference is clearly distinguishable from the claimed invention. Additionally, Claim 9 provides an additional limitation of a central bearing device which maintains a proper relative vertical relationship between maxillary and mandibular components of the dental prosthesis through all eccentric movements. The central bearing device allows the contour of the occlusal surface of the denture tooth to conform to and be molded by the interaction with the patient's opposing teeth. Opotow is a bearing device which is not receivable with the mouth of the patient and is thus ineffective in contour molding of the denture tooth's occlusal surface. In the absence of a central bearing device, functionally generating occlusal surfaces in the mouth (regardless of material used) is impossible from a practical standpoint. Accordingly, the combination of Laszlo and Opotow taken together do not meet the limitations of the claimed invention.

It is believed that the foregoing is fully responsive to the outstanding Office Action. It is submitted that the application is now in condition for allowance and such action is earnestly solicited.

Respectfully submitted,

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Date: May 21, 2007.